

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JAN ALBERT CREUSERE)	CIVIL ACTION NO. C-1-01 0021
)	
Plaintiff)	JUDGE BECKWITH
)	
v.)	MAGISTRATE JUDGE BLACK
)	
OHIO AND VICINITY REGIONAL)	<u>DEFENDANT OHIO AND VICINITY</u>
COUNCIL OF CARPENTERS)	<u>REGIONAL COUNCIL OF</u>
)	<u>CARPENTERS' STATUS REPORT</u>
Defendant)	

By Order dated June 18, 2004, Magistrate Judge Black directed the parties to file a Status Report stating what additional time the parties need to complete settlement negotiations or discovery. Earlier today, counsel for Defendant Ohio and Vicinity Regional Council of Carpenters ("Defendant") received a letter from Plaintiff Jan Albert Creusere ("Plaintiff") enclosing (i) a copy of the Status Report he has filed in response to Magistrate Judge Black's Order, (ii) a Motion Requesting Consideration by a Senior Judge Requesting a Written Apology by the Court and a Refund of Plaintiff's Filing Fee and (iii) a Stipulation for Dismissal and Judgment Entry ("Dismissal Entry") signed by Plaintiff. In his Status Report, Plaintiff states, *inter alia*:

No more time is needed. On this first day of July 2004, I, Jan Albert Creusere, have signed the [Dismissal Entry] drawn up by Ulmer & Berne, counsel for the Defendants and am sending it to them via Fed Ex, which they will in turn will sign and file with the Court electronically. I ask the Court to Grant such Motion and

to do so only once this case is reviewed in its totality by the Honorable Judge Susan Beckwith and not by a Magistrate.

Likewise, Plaintiff's Motion Requesting Reconsideration, *etc.*, includes the following:

Note: This Motion is being filed *before* the [Dismissal Entry] which will be filed shortly electronically by Ulmer & Berne, counsel for the Defendants and therefore should properly be considered first.

The letter from Plaintiff that Defendant's counsel received today, requests that we delay filing the Dismissal Entry until such time as the Court has ruled on Plaintiff's Motion Requesting Reconsideration, *etc.* Thus, Defendant is unclear as to what it can or should do relative to the Dismissal Entry, a fully-executed copy of which is attached hereto. Therefore, Defendant is submitting this Status Report (i) to advise the Court that Defendant does not need any additional time to complete the settlement negotiations or discovery, (ii) to explain Defendant's dilemma with respect to the Dismissal Entry and (iii) to tender the fully-executed Dismissal Entry to the Court. Defendant would request that the Court process the Dismissal Entry as soon as the Court has ruled on Plaintiff's Motion for Reconsideration, *etc.*

Of Counsel:

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s/ Stephen A. Markus
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Trial Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on July 2, 2004, a copy of the foregoing Defendant Ohio and Vicinity Regional Council of Carpenters' Status Report was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. In addition, a copy of the foregoing was sent by regular U.S. mail, postage prepaid, this 2nd day of July, 2004 to:

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3943 Hazel Avenue
Cincinnati, Ohio 45212-3827
jancreusere@yahoo.com

Plaintiff

s/ Fred Seleman

One of the Attorneys for Defendant

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